App. F. IX-4

Previous References Jud 294-37 (1-2)

193 4 (Jud)

File No. 191-38

Serial Nos. 1-2

Letter References ✓

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two

Part B for December 1938

SUBJECT.

Remission petn. of Sri Narayana Rao, Shanbhoga Sri Lakshmanaswami Temple, Mulbagal about the Shanbhogaship Service in the said Temple.

No 10 | 92 | 20-12-38

To the Narayana Rao

WD 0295—GPB—22,500—13-8-37

Rejected on petition.

Mysore
27/12/38

G. R. S. APP. F. III—1]

GENERAL AND REVENUE SECRETARIAT.

(Mag)

NOTES.

File No. 131-38

FILE HEADING

Review petition of one Sri Narayana Rao for Shanbhogi hereditary pertaining to the Temple of Sri Anjaneya Swami — Mulbagal.

FROM

Narayana Rao

No. — Dated 12. 12. 38 Received 13-12-38

Diary No. 702	Enclos. 1	Spare copies	Serial No. 1

BRIEF ABSTRACT OF LETTER

Prays for a reconsideration of orders conveyed to him in Endt no 1581/ Mag 294-37-2 of 4.6.38 re: Hereditary Shanbhogi service of Sri Anjaneya Swami temple - Mulbagal.

NOTES AND ORDERS.

XR

1) Kind attn is invited to the rule and orders in paras 2 to 5 of the Secretariat Collection Book. Vide Mag 294-37-2. The previous appeal petition from the same gentleman has been rejected on the point of law is involved in this case - (Vide the Hon'ble members orders in file no. Mag. 294-37) No such grounds involving any point of law are now urged for a reconsideration of the previous orders although there was ample time

R

NOTES—First Sheet

WD 0283—GPB—3,750—25-1-38

Muz ... for reconsideration ...

Muz File No. 191 of 1938.

General and Revenue Secretariat

The revision petition may hardly be rejected

14.12.38

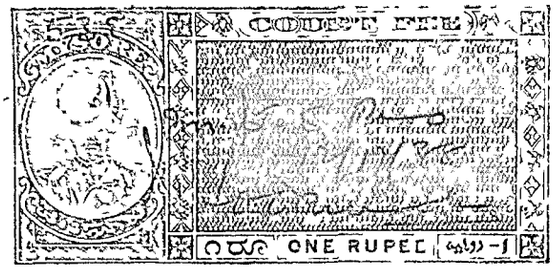
GENERAL SECRETARY
14 DEC. 1938
1593

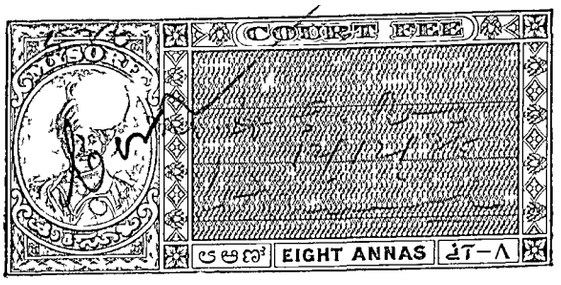
No 1019 of 20.12.38 to Mr Narayanrao C/o his Counsel Ramachandra intimating that there is no reason to reopen the question and that his review petition is rejected.

Memo No 1021 of 20.12.38 to the Muzrai Commissioner forwarding copy of the above for information

21/12

Mys 191-38-1





Mys. G.S.

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE

MAHARAJA OF MYSORE, BANGALORE.

Muz. Review Petition No. 10 of 38-39.

Petitioner:- Narayana Rao, Shanbhogue,
Sree Anjaneyaswami Temple,
Mulabagal.

The Petitioner prays that the Government might be pleased to review the orders passed in No. 1581 of Muz. 294 -37-2, dated 4-6-1938, on the following among other - grounds:--

Facts of the Case.

1. The Petitioner is the hereditary shanbhogue of the temple. He is on leave - from 1930, and his son-in-law has been officiating for him. His prayer for further extension of leave was refused on 27-2-1936, on the ground that his son-in-law was not doing the duties properly. The Petitioner joined duty on 1-3-1936, and after 20 days of working, went on 20 days' leave on account of illness. Later on, he applied for extension of leave by another 2 years. This was refused by the Sub Division Officer. It is alleged that the Sub Division Officer issued registered -

registered notices to the Petitioner to join duty and as the Petitioner did not respond, dismissed him. The Deputy Commissioner in appeal modified the order of the Sub Division Officer to this extent that if the Petitioner immediately joins duty, and gives an assurance that he will not apply for leave in the near future, the question of his re-instatment may be sympathetically considered. The Petitioner appealed against that order to the Muzrai Commissioner in Mysore, Bangalore, in Muz. Appeal No. 31 of 36-37, where he also produced a Medical Certificate from the District Medical Officer, K.G.F., declaring the medical unfitness of the appellant. The Revenue commissioner has also dismissed the appeal of the petitioner and an appeal was preferred on the following grounds:--

Grounds:-

1. The learned Revenue Commissioner, while reviewing the facts of the case has stated that the Petitioner's son-in-law was not doing the duties promptly and properly, and that he gave a cause for repeated complaints. This is a gratituous statement not based on either the report of the Amildar or on the complaint of the Dharma Dharsis. In fact no definite cha have ever been formulated against the petitio son, nor has any explanation been taken f

as regards the charges levelled against him.

2. The learned Revenue Commissioner erred in agreeing with the Deputy Commissioner that even if a Government servant is absent for more than five years, continuously he is liable to have his services dispensed with and that the petitioner was absent for more - than 5 years and erred in not holding that the above principle did not apply to a hereditary appointment.

3. The learned Revenue Commissioner erred in holding that he refused several notices addressed to him. No such notices have been refused by him, and in fact the dismissal order sent through the Taluk has been served upon him. And the other notices too would have been served upon him, if they had been sent through the Taluk Office.

4. The learned Deputy Commissioner erred in holding that the Petitioner was wilfully absent. In fact he had gone to fetch his lawyer.

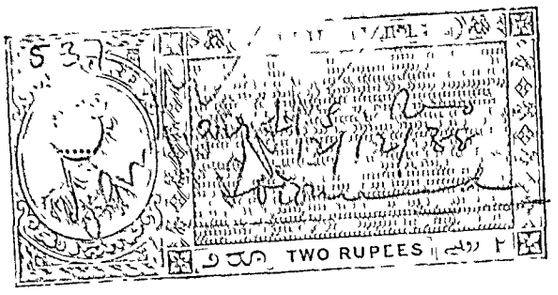
5. The learned Revenue Commissioner erred in not giving any weight to the medical certificate given by a District Medical Officer, and the Petitioner submits that it would be purposeless to compel a man, who is medically unfit to do certain duties. The Petitioner submits that the Government will

will not in any way be prejudiced by making out the Baraward in the name of his grand-son and the Petitioner would guarantee the proper discharge of the duties by his son-in-law as Gumastha.

6. Wherefore, the Petitioner prays that the Hon'ble Government be pleased to review the orders already passed, and allow the ~~prayer~~ prayer of the Petitioner.

Bangalore,
4-11-38.
4/11/38

H Krishnasahab
Petitioner.



Before H.C. [illegible]

In the ~~Court~~ of the [illegible]

[illegible] Original.

Suit No. **of 19 ,-19 .**

Plaintiff / ~~Appellant~~		*Defendant / Respondent*
Petitioner / Complainant		*Counter petitioner / Accused*
[illegible]	Vs.	

I, [illegible] do hereby appoint and retain [illegible] to appear for me in the above suit / Original / Miscellaneous petition and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application for execution of any decree or order passed therein. I empower my Advocate to appear in all miscellaneous proceedings in the above suit or matter till all decrees or orders are fully satisfied or adjusted and to obtain the return of documents and draw any money that might be payable to me in the said suit or matter,

Accepted.

[illegible]

ADVOCATE,
Bangalore City,
Dated, 12/11/1938

[illegible]

Personally known to me and signed in my presence.

[illegible]
4/11/38

S. V. PRESS, B. CITY.

Appendix F G—1]

SUBJECT.....

.....

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Section Mem

File No. 191-38

Serial No. 2

Diary No. of letter replied to 702

No. 1019

To

Mr. Narayana Rao & Sri Anjaneya Swami Temple Mulbagal c/o M. Srinivasa Rao, M.A. LL.B. Advocate. Bangalore City.

General and Revenue Secretariat

( )

the *193* .

Date of issue.... 20-12-38

Signed by Sd/- S. Sd/- V. Iyer

By Govt. in their order No - 1581 Mem. 294-37-1 dated 4th June 1938

Yr. letter dtd 12.12.38 praying for a reconsideration of orders passed about the Shanbhoga Service of Sri Mulbagal Anjaneya Swami temple, Mr. Narayana Rao is informed that Govt. see no reason to reopen the question and his request is rejected.

List of enclosures.....

Copied by..... 19

Examined by .....

S. C. for 19/12/38

WD 027S—GPB—30,000—4-3-38

Order of Govt. dtd 4-6-38 see

2 Office V

For Govt. see

P. T-0

Memo No 10208 20-12-38

Copy of the letter as forwarded

Com's compliments to the M.C.

The contents of this office memo:

No 1(1-3)/Mag 294-37-2 87

(i.e. 6.3.); on this subject

Jain Chaityalaya Committee
Secretary Tirupati.

Yours sincerely

[illegible]